

**CITY OF TAKOMA PARK, MARYLAND
(ADOPTED 1/10/05)**

**PRESENTATION, PUBLIC HEARING, WORKSESSION & CLOSED SESSION
OF THE CITY COUNCIL**

Monday, November 8, 2004

OFFICIALS PRESENT:

Mayor Porter
Councilmember Austin-Lane
Councilmember Barry
Councilmember Elrich
Councilmember Mizeur
Councilmember Seamens
Councilmember Williams

City Manager Matthews
City Clerk / Treasurer Waters
Recreation Director Haiduven
Construction Manager George

The Council convened at 7:35 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

ADDITIONAL AGENDA ITEMS

None.

ADOPTION OF MINUTES - 2/17/04 and 2/23/04

Moved by Seamens; seconded by Barry. The minutes were adopted unanimously. Comments will be forwarded to the City Clerk.

PUBLIC COMMENTS

Eileen Sobek remarked about the hospital expansion.

Dan Robinson, Grant Avenue urged for the development of a park across the street from the Municipal Building. He reminded the Council of the Dan Burden study.

PUBLIC HEARING

The City Manager provided a slide presentation prior to the start of the public hearing.

Howard Kohn, made remarks about the history of the community center project. We wanted a place where everyone could come together. With the information that we need more money, he has talked to a number of people who are supportive of funding the project.

Bill Valdez, 53 Walnut Avenue, said he began his involvement when the gym under the fire station was closed. He wanted to have a gym where many could come together. He recalled the hearings held with Howard and the need for a place for children to meet. The conversation has evolved; he is willing to pay the additional cost.

Annie Moyer, 210 Hodges Lane, member of Recreation Committee, commented on the growing program of the Recreation Department that is in need of space. She noted some of the programs. The center is for children of the city. She commented on the new program being offered by the community center. She supports the proposal to complete the project including the gym.

Anthony Langley, TP Boys & Girls Club, remarked about the history he's experienced in obtaining space for activities.

Mary Stover, 504 Lincoln Avenue, President Takoma Foundation urged the Council to support funding for completion of the project. We need the community center for residents. She asked for Council support.

Eileen Sobek, 7637 Carroll Avenue fully supports bond funding for completion of the project. It makes eminent financial sense as explained by City Manager.

Linda Norkin, 14 Hickory Avenue, fully supports funding for the entire project. The gym could be magnificent place. We could move kids activities out of the Library.

Scott Davis, Takoma Park Girls & Boys Club grew up in the city. He thinks that the gym would bring the city together. Community kids ask "why" we do not have certain amenities.

Jill Gay, 7218 Spruce Avenue supports funding the entire project.

Pepe Contreras, 7600 Maple Avenue, #1204 said we need to see it as an investment for our children. We will get a lot of return on the investment.

Cheryl Brand, 7318 Baltimore Avenue said she grew up in the city. A gym is necessary part of the community. She supports the bond.

Chris Barclay, 7108 14th Avenue, commented that it is clear that we need a space for people to gather. Children need the role models. It is important for the residents to consider what recreation means to the children in the city. It is important to emphasize that there are options for children. Be courageous, bold and remember that we are doing this for our children.

Judy Dickinson, 7515 Maple Avenue, #3, volunteer for Takoma Park Boys & Girls Club, supports it. Remarks of this evening are in support. Children will benefit. She commented on the alternative to guns/drugs with a center.

Tim Dowd, 28 Hickory Avenue said he has two children and is a member of the Recreation

Committee. He supports the “shabang” (as said by many others this evening). He said that his oldest son will be doing in-door activities in other jurisdiction this winter. You have had some set-backs, but you should not let it be a shortfall or reason to prevent future progress.

Todd Baldwin, 910 Jackson Avenue said he coaches a local sports team. There are kids in the area who would love to have space to play basketball and other games. He supports full funding for the gym.

Dallas Burtraw, 7407 Birch Avenue urged bonding for completion of project. The motivation is for what the center will do for the community. It adds to community of life.

Brian Wolfman, 100 Grant Avenue said he is in favor of the proposed additions. He is happy to bear the cost of the bond debt. It is important to have the benefits. He has come to appreciate the importance of youth sports and facilities. It is important to have an athletic facility in the same place as an educational facility. It allows for exposure to many things in one place.

Bruce Baker, 301 Hilltop said we have hard decisions to make with respect to costs. However, the benefits are very large. Given the City Manager’s presentation, he thinks that the bonding approach is best. You should work to make sure that costs are minimal but benefits are great.

Ray Denenberg, 1319 Elson said he supports funding for the gym. It seems to be a given that there needs to be a gym. He thinks that there are some who oppose this proposal; however, without a gym, there is not the opportunity to provide something special to the community. He spoke in favor of off-season indoor sports practice space. If the gym is built, he will offer to fund a batting cage.

Alison Freeman, 413 Elm Avenue said she supports the comments made this evening. She has children and a senior mother who would use the facility. It is important to have a facility where family members feel safe and comfortable. She was attracted to this community, something that this community center would embody. She found the City Manager’s presentation on bonding to be very compelling. She urged the Council to support it. She emphasized the benefits over any cost that anyone would pay.

Maurice Grant, 812 Colby Avenue commented on the importance of the gym. He thinks that kids will return to the gym. The costs as presented tonight are well within reach.

Monica Ettinger, 7914 Longbranch Parkway said she has had kids involved in sports in the city for years. She supports City Manager’s proposal for bonding.

Keith Berner, 7902 Flower Avenue said he supports doing completion of this job, creating a center for the community is essential. He supports the bond.

Cynthia Jordan, 908 Jackson Avenue said her kids participate in the community activities. Completion of gym is important for the growth of her children. Children need a positive place to

go. Help to make it happen sooner than later.

Randy Gibson, 6718 Gude said he supports the vision for the community center and the gym. He will pay his portion. Youth will benefit. Families unable to afford private classes and sports will benefit. He has two girls who he hopes will enjoy the opportunity to perform music. He sees it as an empowerment project. He supports the community commitment to build the gym.

Pat Rumbaugh, 7301 Maple Avenue remarked about history in athletic education. The facility will provide a memorable experience.

Chris Fitzgerald, 7110 Central Avenue commented on the “big mess” appearance at the current state, but supports completion.

Carol Stewart, 7211 Central Avenue said she been through many problems to get to the current point, but the mission tonight is our vision. The need is apparent for our children. Is time to take out the bond. The most concerning cost is the lives of the children we have not touched. Do not waste further time.

Frank Aikman, 8105 Garland Avenue commented on his background of involvement in sports activities with youth in the city. It is important to complete the project. We would be remiss in not completing the entire project.

Hank Prensky, 8108 Maple Avenue explained the circumstances of making a decision to purchase an home in the city versus Silver Spring. It was worth every penny to stay in the city. He remarked about the balance between taxes and services. He urged support for this effort and completion through a bond.

Cayo Gamber, 6514 Fourth Avenue, works with Big Yellow Taxi (basketball team). She is working with a group of young team girls who are interested in sports. She has a lot of community interest and would like her home neighborhood to be a place for practice. She read a statement on behalf of a quality gym floor.

Erwin Mack, 7676 New Hampshire Avenue, Executive Director, Takoma Langley Crossroads Development Authority, said he has pride in being part of the city. It is time to pay and complete the project.

Steven Brown, 506 Albany Avenue, remarked about being a coach (athletic and role model). We need a gym. Gyms are hard to come by and cost a lot of money, but they are important. He supports commitment to funding a batting cage.

Jane Hurst, 7219 Spruce Avenue supports the bond to finish the community center and finish the gym. She remarked about her childhood experience with the library and the opportunities that were afforded. She remarked about the activities that could be carried out by the Folk Festival organization. She commented on the importance of sports for young girls. She supports a

quality gym floor.

Cathy Surace, 210 Tulip Avenue said she has children in their early 20's who have grown up in the city. The completion of the gym and facilities is essential, critical.

Reuben Snipper, 705 Erie Avenue strongly supports funding completion of the center, even if it involves bond funding. The community center will become the center of the community. He has children who are grown and who would have loved the opportunity to have access to a gym. The bond makes sense. It will be a visionary kind of thing.

Mel Raff, 7319 Willow Avenue said the City Manager has put a plan forward that is reasonable and doable. We have to do this. This is an opportunity and we have to do this.

Kathleen Tucker, 615 Kennebec Avenue thanked staff and Council for the work that has gone into building the center to this point. She spoke in favor of programs for persons other than youth. Make this investment in the gym.

Ephram King, 7300 Baltimore Avenue, on behalf of himself and his wife, said this is about showing trust and caring across communities. He urged support.

Lew Morris, 7201 Holly Avenue supports full funding. He noted the activities of children. You should not go "cheap" on the floor. If you do this, do it right.

Christine Simpson, 7300 Cedar Avenue said she is a long time resident of the city. It is clear that kids would benefit from a gym. She hopes that Council sees that there is enough merit in the proposal to complete the entire project.

Cindy Dyballa, 515 Elm Avenue expressed strong support of both phases of the project completion. She is willing to pay her share of the cost. The job is not complete without the gym. Sports are big in the city for both youth and adults. It is difficult and expensive to rent space. We cannot find more local space.

Bridget LaVaule, 7220 Minter Place said it is her desire to support the City Manager's position that the City invest in bonds to complete the project.

Larry Zarker, 59 Walnut Avenue said he is a 20-year resident. He commented on history with discussion of basketball hoops in rights-of-way. It is dangerous. That environment should not exist if there are alternatives. He supports full funding for completion of the project. Takoma Park needs a place that pulls it all together.

Peggy Kennedy, Piney Branch Elementary School said she is not a resident. She has been part of the community as a school counselor. She has raised children in this community. She supported the original initiative for the community center. She said she has identified statistics related to teen sex and alcohol abuse. Ms. Kennedy remarked about her observations of youth hanging out in

the area. She commented on the kids that hang-out at the library. She supports the bond.

Mary Curcio, 7504 Carroll Avenue said she is a 15-year resident; and has three kids. She supports the gym and other spaces to be completed, leaving the issue of funding to the judgement to the Council. Gym facilities in the county are severely lacking. Hang-out space is important. The children should have a supervised and safe place to hang-out.

Ibrahima Yansane, Houston Avenue said she works as a substitute in an Arlington County school. She is a parent of children who have grown up in Takoma Park schools. She is involved in the community. She speaks on behalf of the immigrant community that may not be willing to come forward this evening. She has a couple of boys who would have benefitted from a community center.

Rino Aldrighetti, 7213 Central Avenue said the question is not about whether there should be a gym or community center, but what was presented to the community (a \$6.7M building, including the gym). He challenged the current, overall cost of the project. A gym is a good thing. It is a good thing to have a completed center, but it is not a good thing to have an absence of explanation. If the Council goes forward, it should publish a report about “why” this happened. Everyone who has served on the Council for years knew that it had a crack in it. Low and behold, there were problems in the ground....no surprise. This kind of project management is wrong.

Russ Greenberg, 239 Park Avenue said that sports and athletic programs of the city help to keep kids off the street. A lot of speakers this evening have been coaches. He supports the gym and community center completion. Lots of kids in the community participate in sports leagues. We need facilities to support the programs.

Joe Cirincione, 7307 Birch Avenue said he arrived in the city when Sammie Abbott was Mayor. He would like to see a report of how the cost overruns occurred, but that does not mean that we should not get the job done. He has raised children in this community who will not use the facility, but is willing to pay the cost. This is a program that he and his wife support. He noted the number of people who have come out to express their views. He believes in this town and facility. He encouraged Council to get the job done.

Jeff Meer, 8022 Takoma Avenue said he is not a Takoma Park taxpayer, but has coached local sports. On behalf of the baseball community, we need indoor space for off-season. This part of the county is dramatically underserved for athletic facilities. He spent many hours in gym facilities growing up; it was a safe place to go.

Tom Dant, Carroll Avenue said he was born here and lived here 50+ years. He remarked about his history in city activities (athletic and church). He remarked about his son’s support for the gym. He is a conservative, but does support that this is the time is have to move forward with some tax increase. He would like the Council to look for other options to relieve the bond before maturity. He would like the Council to consider funding for the skate park. Council has

discussed and approved it. Please consider.

Ray Scannell, 118 Park Avenue noted his affiliations with local athletic groups. He recalled last year's incidents of area gangs. Under Montgomery County policy, children under a certain GPA are not allowed to participate in after-hour programs. He worked on the original committee that proposed a gym; the price has increased, but he still supports it. He urged support for funding.

Byrne Kelly, 307 Circle Avenue supported funding for completion for the development of the center and gym. He agrees with the municipal bond. He questions why residents should pay the cost for a bond that could benefit persons outside of the city. He noted the density of this area of the county. How far reaching will the benefit be? How many properties does the city own; should they be marketed? Is it time to pursue annexation? Is there a business plan for New Hampshire Avenue? The City made a horrific mistake selecting this site for the center; and got in this mess because of the poor selection of the architect.

Diana Kohn, 16 Jefferson Avenue has spent many years and time studying the history of the city. She remarked about the school that once existed up the street and how the library came to be. We are not a community that waits for the county to build facilities. She favors funding of the center, in particular, the gym.

Ron McClain, 14 Jefferson Avenue said he has lived in city for 23 years. He works with at-risk and disabled children and coaches some athletic teams. If the City is serious about making recreational opportunities available to all communities, then we need to complete project. We need the gym.

Buddy Daniels, 19 Sherman Avenue said he hopes it is possible to have a gym and to connect the locker room to the adjacent pool. He commented on his history, growing up in the fire department gym (the pit). It was a well-recognized facility. He supports the proposal for funding of a skate park.

Gary Weinstein, 325 Lincoln Avenue said he has been a coach for many years in the city. It is important to have a gym in the city. A gym will be a magnet in the city. He remarked about the importance of youth sports programs. He said that he funded an under-privileged team by renting space at a high cost. He expressed full support for the gym.

John Howard, 318 Boyd Avenue said he has coached Takoma Park youth sports. We have hearts in the right place, but do not have the facilities to make them happen. He remarked about the facilities which are used and the inadequacy, for both youth and adults. His 11-year old said that gym would make a lot of kids happy.

Megan Scribner, 7321 Willow Avenue said she is a long-time resident. Originally, she was skeptical of another gym in the area. However, having served on the PTA, she recognizes the demand on school/gym space. There are few spaces where kids can go after school or in the evening to recreate. Kids deserve a safe and close environment for activities. It promotes

positive growth and return to community.

Jay Salpelcar, 7226 Minter Place expressed strong support for funding of the gym and the game room / common room. He remarked about recent experience with a visit to the Chevy Chase community center. The environment was positive and comfortable. It is important to give youth a place to go. He thinks that the bond is a good solution. Serious questions will be asked if we do not proceed.

Paul Wapner, 7107 Sycamore Avenue said it seems that the message is pretty clear. The question is how this will be afforded. He has been coaching soccer for a number of years—not necessarily a winning team. However, kids are making friends. He asked about the states of the skate park. If we cannot come through on that commitment it would be bad precedent.

Ms. Porter noted that Council did support the idea, but we were going to look for outside funding for development of a skate park.

Mr. Williams noted an e-mail received late this evening from Dick O'Connor. He wants to enter his comments for the record.

The Public Hearing closed at 10:40 p.m.

Mr. Elrich commented that regarding the structure of public hearings, we should make an effort to balance the pro/con sign-up.

Ms. Porter said Council can talk about that proposal.

BREAK

At 10:41 p.m. the Council recessed for a break and reconvened in Worksession.

WORKSESSION

Ms. Porter announced the postponement of the financial report and budget amendment discussion on the agenda.

3. Bond Funding for Community Center Completion.

Ms. Porter said Council should discuss how to proceed with the bond discussion. She expressed her appreciation to all who came out this evening to testify. She recalled Sarge Johnson's commitment to being present for hearings and discussions about the gym and community center. Add his "yes" to the gym.

Mr. Elrich said he was concerned by the reference to the Council ever deliberately saying that it could build entire project for \$6.5 million. The Council had been told that there was another source for gym funding. The Council did not try to sell something to the community with an intent to go in another direction. Sometimes, things go badly and you end up in places where you did not want to be. He thinks that the Council received some bad information. It is important that the City Manager take steps to get an appraisal on the Takoma Junction lot. The proceeds should go toward funding completion of this building. We need thorough discussion of City finances and anticipation from the county before making final decision. He wants more information.

Ms. Austin-Lane said she wants to finish the community center. There are lessons that we can take from how we got into this situation. There is some public confusion. We need to restore trust. She would like to publish a "lessons learned" document as a follow-up to this.

Ms. Porter said she talked to Bruce Williams about this, and heard that the information would not be much different than a lot of the information that he has presented in his presentations. She suggested that he and Ms. Matthews work together on a presentation.

Mr. Williams commented that it would be helpful in identifying things that occurred and things that we might look toward as we move forward to completion.

Mr. Seamens said he thinks would be beneficial to have an outside, independent review of the material, to assist in renewing the trust.

Ms. Porter asked who would do that? Since Barbara Matthews was not here during most of that time, would be comfortable that she would be "outside."

Mr. Barry recognized the number of coaches who spoke this evening. He would like to hold a meeting in his Ward about this issue. He suggested a mailing to all residents re: (1) scope, (2) cost, (3) revenue from the sale of property, (4) management of the project (past vs. current team and competence), (5) unanticipated costs (i.e., PCO's), (6) timeframe with decision points, and (7) caveats (e.g., change in county/state funding obligations). We need to ensure that soil samples and other ground/structure tests are accurate. There are lots of people who were not here tonight who have strong feelings about this issue.

Ms. Porter asked, would it serve the same purpose if there were something like that in the Newsletter?

Mr. Barry said he does not believe that everyone reads the Newsletter; however, he would put the information there as well. We should take all steps possible to notify and educate the public.

Mr. Williams asked about the bond decision deadline.

Ms. Matthews said Charles Day, with the State, has not provided a specific date. In general, it is at the end of January.

Mr. Williams commented that at community meetings, he has heard full support for funding of the project. He is intrigued with the suggestions to fund the skate park. He has heard from a number of young people in support of the skate park. He recalled the public hearing comment about the process regarding selection of the site for the community center; it was an exhaustive discussion. He said that he tallied 62 people who came to speak. He noted that most kept to the three minute time limit. He thinks that our format worked fairly well.

Mr. Elrich said he wants a re-evaluation on the design. We had an original design which changed as we talked with a potential benefactor. He would like to go back to the original design and explore that cost. Seating capacity will have an impact on the overall cost.

Mr. Seamens agreed with Mr. Barry about community outreach. He is concerned that he did not see a lot of constituents from his ward this evening. We need to thoroughly examine the operating/equipment costs for the building. We need to get the City Manager to put a stamp of approval on the estimates that have previously been presented. We need to get some input on the fee structure that we will need to support operation of the center. Columbia Union College has mentioned building two new gyms in their facility. Would the city have access? Also, how are we going to attract residents from other areas of the city who are not immediately close to the center?

Ms. Mizeur said she has heard validation tonight that there is not opposition to the notion of the gym. She is a little surprised that we did not hear more comments along the lines of Rino Aldrighetti's. She is impressed that we heard from at least 15 residents of Ward 2. She is looking for opportunities to continue to get feedback from residents. She agrees with comments about wanting to get the gym completed. Ms. Mizeur noted the progress of the project and the new confidence with current City Manager. In addition to Mr. Barry's list of information items, she wants more information about the operating budget for the center/gym. She has concerns about other budget issues that the City is facing. He has concerns about increasing property values—which can be good or bad. We do not want to reach a threshold that drives people out of the city.

Ms. Porter commented that sometimes we get so wrapped up in the day-to-day project problems, that we may lose sight of the vision for the project. People are very heavily invested in the original vision. People want a facility where people can interact in a casual way that supports the values of the city. It helps in her thoughts about how to move forward. She thinks that the sense of the Council is to move forward with the discussion of the bond proposal. We need to

follow up on question about the cost increases and the idea for a brochure outlining the costs. We need to work on two tracks—bonding process and “what we want to fund.” She wants to focus on the things that are most important. The City Manager should provide Council with a timeline and series of steps related to the bonding process.

Mr. Elrich commented on the estimated cost for tenants (if the cost is passed through from the landlord) for the increase on the tax rate. It would likely be cheaper than the cost of child care for those who would take advantage of the programs.

Ms. Austin-Lane commented that Council has to talk about parking. Of the 217 spaces, do we have ideas about whether the plaza level could provide more parking?

Ms. Matthews said 217 spaces would be required for a private development. Staff talked to the architect (140 spaces) and M-NCPPC about requirement. There have been discussions with Knott Construction about designed parking and with staff about angled Maple Avenue spaces.

Ms. Porter said that will be put on a list of things for further discussion. Parking will be important.

Mr. Seamens commented that we have had problems with parking prior to construction. We will have issues even without gym. He is concerned that this discussion is, again, moving forward at a fast pace which does not allow time for adequate consideration.

Ms. Matthews remarked about the timing on the state bond process. There may be two opportunities in the course of the fiscal year.

Mr. Williams asked about flexibility in the application process?

Ms. Waters responded.

4. Quarterly Update - Finances and FY05 Budget Amendment No.1.

Postponed.

CLOSED SESSION

Closed Session - 11/15/04 - On November 8, 2004, Council voted to convene in Closed Session on November 15, 2004. Moved by Seamens; seconded by Austin-Lane (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams). OFFICIALS PRESENT: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams; STAFF/OTHERS: Matthews, Waters, George, Silber, Robert Cox, Jeryl DePietro. The Council discussed the legal settlement with Knott Construction on claims relating to the Community Center Project, pursuant to Annotated Code of Maryland, State Government Article, Section 10-508(a)(7).

ADJOURN

The Council adjourned for the evening at 11:47 p.m.